

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – APRIL 5, 2006

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on April 5, 2006. Chairman Santarsiero called the meeting to order at 7:35 p.m. Mr. Caiola called the roll. Mr. Santarsiero stated the Board began the public session at 5:30 p.m. to interview candidates for various Boards and Commissions. The Board went into Executive Session at 6:30 p.m. to discuss real estate and legal matters.

Those present:

Board of Supervisors: Steve Santarsiero, Chairman
Ron Smith, Vice Chairman
Greg Caiola, Secretary
Grace Godshalk, Supervisor
Pete Stainthorpe, Supervisor

Others: Terry Fedorchak, Township Manager
David Truelove, Township Solicitor
Bucky Closser, Township Solicitor
James Majewski, Township Engineer
Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Ms. Sue Herman stated on March 6, Mr. Fedorchak sent a letter to Mr. Hoffman asking for a status report as to when PennDOT would complete timing the Newtown By-Pass lights; and she asked if they have received a response. Mr. Fedorchak stated Mr. Hoffman has retired; however, he did speak to a PennDOT representative who indicated they are in the process of hiring Gannett-Fleming to do a study. There are certain scope of work and fee issues that must be resolved with the firm but they anticipate doing that shortly and then have Gannett-Fleming do the data collection piece of the project before School is over so they can get relevant data. Ms. Herman asked if this means they will be able to have all green lights between I-95 and Bucks County Community College, and Mr. Fedorchak stated the data collection is only the first step. They will analyze the data and come up with cycling for each individual intersection along the By-Pass. He feels that within thirty to forty-five days there will be a Kick-Off meeting to which Lower Makefield will be invited, and he agreed to invite Ms. Herman to this meeting as well.

Ms. Diane Mayes, 911 Lanyard Road, asked about Elm Lowne. She noted a tent was placed on the property by a caterer, and she asked if the Township is making any money. She also asked the status of the \$20,000 Grant which was to be used to study the barn. Mrs. Godshalk stated they are experiencing an increase in rentals with Newtown Rental

for weddings and there are few weekends open. She stated they have held open houses on the site. She stated the Grant was for a feasibility study which has been done and the money has been spent. She stated this has not yet come before the Board of Supervisors. Mr. Smith stated he was waiting for the Heritage Conservancy report on Elm Lowne and some of the other Township properties to be issued and discussed at a public meeting. He stated when he was first on the Board, he was provided information on Budgets and asked the Township Manager if they had a breakdown on Elm Lowne as to whether or not it was making or losing money. He stated he did receive a break down, and it appears that they had more expenditures than revenue last year and the property cost the Township \$104,000 last year. For the last four years, this amount has gone up substantially. He stated in 2002 they lost \$46,000, in 2003 they lost \$48,000, in 2004 they lost \$72,000, and last year over \$104,000. He stated it appears that they have therefore lost over a quarter of a million dollars by owning Elm Lowne. He stated that while this is a great property, they must consider whether the Township should be in the business of owning Elm Lowne. He stated he feels they should wait for the Heritage Conservancy report before making a decision. He stated he is also concerned that they are subsidizing the property with taxpayer dollars and probably 95% of the Township residents have never been there. He stated he would not be in favor of selling it to a developer; but there are deed restrictions which could be placed, and they could sell it to someone and still maintain the historical integrity of the property. He stated he saw a letter recently that one of the Grants was rejected, and they were going to re-apply. He stated when they did a breakdown on the expenditures on the Grant, the expenditures for doing the Grant were almost as much as the Grant itself. Mr. Smith asked that Elm Lowne be put on the Agenda in the near future. Mrs. Godshalk stated she was not aware that they were going to discuss this matter tonight. She stated over a seven year period a lot of the money that has been put into Elm Lowne has been to generate income. She stated the Board of Supervisors discusses purchasing other parcels that go up through the bond issue money. She stated she feels they should make an analysis of what every Park and every piece of open space costs them in the Township before they consider only this one parcel. She stated if a developer came in, they could build ten to twelve houses on a lot of this size. She stated the School taxes would also then go up. Mr. Smith stated up until 12/31/05, Mrs. Godshalk served on the Elm Lowne Committee and he does not feel these amounts of money were ever communicated in public. Mrs. Godshalk stated they were budgeted, and all Budget Sessions are open to the public. Mr. Smith stated he does not feel the public was aware that last year the Township lost over \$104,000 on this property. Mrs. Godshalk stated the money was not lost – it was put in as improvements. Mr. Smith stated this property was purchased with open space money, and he does not feel it is open space since an overwhelming number of residents have never been there. He stated he would like to know the projected figures since Mrs. Godshalk has indicated that there are events at Elm Lowne every weekend. He stated he does not feel they can justify owning a property that is not utilized by the public. Mr. Smith asked that this be put on a future Agenda when they have the Heritage Conservancy report, and they can discuss the future of Elm Lowne. Mr. Santarsiero stated they anticipate receiving the

Heritage Conservancy Report in time for the next meeting on April 19, and they could have a discussion at that time. He noted the Heritage Conservancy was retained to do a study of all the historic properties that the Township owns, to evaluate them, and to give the Board suggestions on what the best course of action would be with respect to each of the properties.

Mr. Bob Slamen, Bedford Place, stated he has driven onto Elm Lowne and he agrees with Mr. Smith that it is not open space. Mr. Santarsiero asked that any further public comment on this issue be deferred until they have this on the Agenda.

APPROVAL OF MINUTES

Mr. Caiola moved, Mrs. Godshalk seconded and it was unanimously carried to approve the Minutes of February 1, 2006 as corrected.

Mr. Caiola moved, Mr. Smith seconded and it was unanimously carried to approve the Minutes of March 1, 2006 as written.

Mr. Stainthorpe moved and Mr. Caiola seconded to approve the Minutes of March 15, 2006 Special Meeting Conducting Interviews as written. Motion carried with Mrs. Godshalk abstained.

Mr. Caiola moved and Mr. Smith seconded to approve the Minutes of March 15, 2006 as corrected. Motion carried with Mrs. Godshalk abstained.

APPROVAL OF MARCH 6, 2006 AND MARCH 20, 2006 WARRANT LISTS AND FEBRUARY, 2006 PAYROLL

Mr. Caiola moved and Mr. Smith seconded to approve the March 6, 2006 and March 20, 2006 Warrant Lists and February, 2006 Payroll as attached to the Minutes.

Mrs. Godshalk stated they received \$138,000 in transfer taxes from the sale of Belmondo Apartments. Mr. Santarsiero stated the transfer taxes received through February, 2006 is \$362,914 which is 25% of Budget and approximately \$150,000 over where the Township was this time last year.

Motion carried unanimously.

PUBLIC DISCUSSION OF PROPOSED MATRIX SETTLEMENT

Mr. Jeffrey Garton, attorney, was present. He stated a Summary was made available to the public this evening of the proposed Agreement. He stated there is also an 8 ½" by 11" version of the Concept Plan which is the Plan that closely mirrors the presentation made at the Board's meeting some time ago by representatives of Matrix. He stated he understands that the Board does not intend to take action on this matter this evening.

Mr. Garton stated the parties to the Agreement are Matrix, the developer, RAM which is the Citizens Group, Dana Weyrick, an individual associated with RAM who also participated as an individual participant in the proceedings, Bellemead which is the Property Owner and has the Agreement of Sale with Matrix which is the developer, and Lower Makefield Township.

Mr. Garton stated the Background portion in the Agreement begins in September of 1988 when the Original Master Plan was first approved by the Township and Bellemead. The Background then describes the various Approvals, Litigation, Court Results, and ends by indicating that the Parties have had discussions for numerous years trying to find a way to resolve the Litigation and development of the property. He stated the result of these discussions, subject to Approval of all Parties, is this Agreement which incorporates the Concept Plan. The Concept Plan still needs to be engineered to determine the stormwater management system, roadway system, etc. but generally speaking the Concept Plan depicts the road improvements, the uses, the general road configuration within the Development itself, etc. The Concept Plan was shown this evening. The Plan contemplates that there will be no more than six hundred age-qualified residential units divided in such a way that approximately one-third are single-family dwellings, one-third are townhouse dwellings, and one-third are multi-family dwellings, which are three stories in height and have an underground garage and elevators. It also includes limited retail uses and office uses. These retail establishments would be complementary to an age-qualified development. He stated there is also a recreation facility with a pool that will serve the residents of the development. He stated the Concept Plan also depicts the road improvements to be made to Oxford Valley Road and Tall Pines Road.

Mr. Garton stated not all of the property is located in Lower Makefield Township as portions are located in Middletown where it is Zoned in such a way that age-qualified housing is not a permitted use and is Zoned for light industrial. Mr. Garton stated as part of the Agreement, Matrix and Bellemead agree that they will pursue a Zoning Amendment in Middletown Township asking that Middletown re-Zone that portion of the property for age-qualified housing as well. If Middletown will not agree to this, Matrix will develop their portion in Middletown in a manner that is compatible with residential housing and will not construct any big-box retail or shopping centers. Matrix will also make sure that the access point to the Middletown portion of the property will not be made through the Lower Makefield Township portion to get to whatever is developed in

Middletown. Mr. Garton stated these restrictions continue to the “Sunset Date” on the Application.

Mr. Garton stated Matrix will contribute to the Township \$1,375,000 paid in three equal payments beginning after the completion of two hundred residential units or eighteen months from the issuance of the first Certificate of Occupancy. The next payments would be at three years and four years or the completion of four hundred and six hundred units, whichever comes first. Mr. Garton stated as each Certificate of Occupancy is issued for the dwelling units, Matrix will contribute into a fund the sum of \$1,650 which will be used for the feasibility of determining the likelihood of securing necessary approvals and funding to widen the Big Oak Road bridge over I-95 which is in Middletown Township. Funds will be kept in an interest-bearing account by the Township. If within two years of the date the first payment is made, the project is not placed on the 12 Year PennDOT Plan, or if within four years, assuming it is on the PennDOT Plan, PennDOT does not enter into an agreement with an engineering firm to design the improvements, or within eight years, assuming the first two steps are made, a Contract is not let for the replacement or widening of the bridge, then those funds become Township funds to be used for open space acquisition or infrastructure improvements in that portion of the Township that is bounded by the south side of the railroad and the west side of Stony Hill Road. Matrix will also pay to the Township the present value of \$75,000 a year for ten years, assuming an interest rate of 6%, that to be paid in three equal installments beginning with the fourth anniversary of the first Certificate of Occupancy and annually thereafter for two years.

Mr. Garton stated with regard to open space, in addition to the normal open space derived from the Plan by virtue of being wetlands, protected trees, the areas between units, etc., Matrix is also committed to convey to the Township approximately five acres along Old Oxford Valley Road. They will construct a pavilion of approximately 2500 square feet on that property along with picnic benches. He stated the Developer has also agreed to utilize low-impact development techniques during the development dealing with stormwater, impervious surface, etc. They have also agreed to attempt to increase the green space while designing the Plan recognizing that they are still entitled to secure the yield that they would yield under the current Ordinances.

Mr. Garton stated there is also discussion in the Agreement about the process for reviewing the Preliminary and Final Plans submitted by Matrix, and the Township is committed to a prompt review in the context of the Concept Plan but also incorporating the other standards for engineering purposes that the Township has in place. After the consultants have come to a conclusion as to whether the Plans are satisfactory, that report will be provided to all parties. If there is a dispute between Matrix and the Township as to whether those changes should be made, that argument will be resolved by the selection of an independent third party chosen by the parties to the Agreement. If they cannot

reach an Agreement as to the third party who would resolve those issues, the Judge of the Court of Common Pleas of Bucks County will choose that independent third party. He stated the Township will have to include within its comments why there is a compelling reason that they should make additional changes. While this is pending, Bellemead and Matrix have agreed that they will not submit any other Applications to the Township seeking to develop any other uses such as large retail uses, shopping centers, or the like until such time as it reaches a Sunset Date. The Sunset Date is when the Plan needs to be approved, and that date moves on the basis of how quickly Matrix responds to Plan changes and the like. Once the Township grants approval to the Plan, Matrix has the affirmative obligation to build the Plan. They cannot build something else without the concurrence of the Parties. Mr. Garton stated Bellemead, however, is not restricted to build this Plan if Matrix received approvals and chooses not to purchase the property. At that point Bellemead is free to develop the property in accordance with the then existing Zoning Ordinance.

Mr. Garton stated the next section of the Agreement deals with the administrative process of executing Plans and posting escrows. There is also discussion about the extent of improvements to Big Oak Road which is to be two twelve foot wide lanes and two ten foot paved shoulders. As part of the Development and Escrow Agreements, funds will be posted to guarantee the completion of those improvements as well as all other improvements. In addition there was some concern on the part of the participants to the discussions that a traffic light may not be necessary at Tall Pines Road and Oxford Valley Road; and the Agreement provides that if the warrants are submitted and PennDOT determines that it is warranted, it will be installed. If it is not warranted, it will not be installed. The money will be escrowed; and if it is installed, it will be designed in such a way that it will facilitate through traffic on Oxford Valley Road. Bikepaths and walking paths will also be provided.

Mr. Garton stated the next Section discusses the Building Permit process and the timeframe for reacting to those Permits.

The Agreement also discusses the Validity Challenge. He stated when the Board of Supervisors approved the Age-Qualified Ordinance Amendments in December, RAM and Dana Weyrick filed challenges to that adoption before the Zoning Hearing Board. The Parties have agreed that the Challenge will remain in abeyance; and if in fact Matrix receives Approvals, and does not proceed to purchase the property or defaults, then that Challenge may go forward. If, however, Matrix does receive Approvals, purchases the property, and proceeds with the development, the Challenge will be withdrawn. Mr. Garton stated there has also been a continuation of various Hearings on the Township's Ordinance to rescind the Age-Qualified Ordinance; and if this Agreement is adopted and approved by all Parties, then the Township agrees that it will defer any consideration of rescinding the Age-Qualified Amendments until such time as either Matrix fails to secure Approvals or fails to purchase the property.

Mr. Garton stated the last section contains miscellaneous language regarding binding effect, who signs the Agreement, etc.

Mr. Garton stated to his knowledge as of this date, Matrix is agreeable to the terms and conditions as are Dana Weyrick and RAM. He has not heard about Bellemead, although, Mr. Murphy, their Counsel, has suggested to him that they are conceptually in agreement.

Mr. Santarsiero stated tonight they are providing the public an opportunity to comment on the Agreement. He stated distilling the agreement in principal that was reached last year into a written document did take a significant amount of time. He stated assuming that Bellemead, Matrix, and RAM sign off on the Agreement by the next Board meeting, the Board will then decide whether or not they will approve the Agreement. The public will have an opportunity to speak at that time as well. Mr. Santarsiero stated the last matter to be determined was the issue of Bellemead's participation. He stated the Board wanted to know whether or not Bellemead would agree to restrict the property to the Concept Plan in the unlikely event that Matrix received all the approvals but decided not to participate. He stated the compromise that was reached on this was what that the legal challenge that has been filed by RAM to the Township's Age-Restricted Housing Ordinance will be kept into abeyance so that if Matrix fell out of the picture, they would still have this challenge. If Matrix proceeds and closes on the property, this challenge would go away. He stated the Township has also kept open the possibility of rescinding the Age-Restricted Housing Ordinance if the contingencies are not met.

Mr. Stainthorpe thanked Mr. Garton for his description to the public of what is transpiring. He stated this is 98% of what was agreed to in July and asked what is materially different. Mr. Garton stated he does not feel that the concept that was discussed over the two years has changed materially, but they did get into lengthy discussion as to the bridge funds, concerns if Matrix does not close, etc. and this took a lot of discussion to bridge this sense of lack of trust by some of the participants other than the Township. Mr. Stainthorpe stated it seems that they have come down to the two enforcements mechanisms – one the threat from the Township to withdraw Age-Restricted Housing and the other is the threat from RAM to proceed with their Appeal. Mr. Garton stated a lot of the time was spent putting into words that which people had conceptually agreed to.

Mr. Michael Upton, 13303 Cornerstone Drive, stated he represents the RAM Executive Board and the reason why RAM feels good about this Agreement is because what was lacking before were many of the protections for what they had negotiated, and this Agreement will provide protection for their insistence that Middletown Township be developed consistent with what is developed in Lower Makefield, the character of Oxford Valley Road, the lights, road infrastructure, etc. This is now specified in much greater detail. With regard to the enforcement, Mr. Upton stated the process of reviewing the Application is very time bounded. He stated this is a compromise Agreement and is a

vast improvement over what was originally approved and thanks to Mr. Garton they finally have something that is specific enough that they can get behind.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, noted Page 4 Item K of the Summary, and stated she is uncomfortable with the language “within the time constraints.” Mr. Garton stated the Agreement spells this out in greater detail. Ms. Torbert noted the section in K which states, “unless Matrix fails to secure Preliminary/Final Plan approval within the time constraints or does not purchase the property from Bellemead.” She stated she would be more comfortable if this said “or a third party does not purchase the property.” Mr. Garton stated if someone else purchases the property, they do not have the Agreement to rely on, and the whole Agreement would be null and void. He stated they would look to the Zoning Ordinance and develop it according to the Zoning Ordinance at that time. He stated if Matrix does not get its permits within the time constraints, the Township can re-advertise its pending Ordinance. He stated if Matrix does get Approvals and does not close within the time that the Agreement with Bellemead expires, the Township can do the same thing. Mr. Garton stated there are clearly defined steps in the process outlined in the complete Agreement.

Mr. Zachary Rubin, 1661 Covington Road, stated he is a member of the RAM Executive Board. He stated the property is still zoned C-3; and if Matrix does not develop this, another developer could come in and build big boxes, etc. He is in support of the Agreement which is a compromise Agreement. He stated in the original Agreement Matrix agreed to pay \$1,375,000 because they failed to do original road improvements on the 1988 Agreement. He stated in the 2000 Agreement, Matrix agreed to give the Township \$100,000 a year in perpetuity, and the compromise is that they will give the Township \$75,000 a year over ten years. He stated while people may not like 600 densely-placed houses on the property, he does not feel anyone would want to see 35,000 cars per week during rush hour in the morning and afternoon which is what they would have had in the original Agreement with Matrix building big box and office buildings.

Mr. Garton stated one of the compelling objectives of all parties was that if it was residential, they wanted it to have no impact on the School District; and with Age-Qualified housing, this should be the case.

Mr. Santarsiero stated they will continue this matter to the next meeting on April 19.

FIVE MILE WOODS UPDATE

Mr. John Heilferty, Facilities Manager of the Five Mile Woods, was present. Mr. Heilferty stated Donna Liney and the Park & Recreation staff continue to be a great help at the Woods. He also thanked the Police Department for their help when needed. Mr. Heilferty stated the Friends of the Five Mile Woods also provide significant help

with management of the Woods. He noted the presence of John Lloyd, a member of the Friends of the Woods. He stated the Friends hold nine volunteer work days each year and also assist with two Open Houses. He announced that the next Open House will be Sunday, 4/23. Mr. Heilferty stated he also has the pleasure of working with local Scout groups, particularly Eagle Scouts. He introduced Keith Rankin an Eagle Scout who he feels went above and beyond his responsibilities to meet the Eagle Scout requirements. He stated they intend to provide a Proclamation crediting Mr. Rankin with his efforts for his upcoming Court of Honor. Mr. Heilferty stated Mr. Rankin's project included making three raptor boxes, two of which he mounted and a third was presented to Mr. Heilferty to mount or use as an educational tool. Mr. Heilferty stated Mr. Rankin also hiked all four and a half miles of trails in the Preserve with a hand-held GPS unit and mapped the trails. He then purchased software to be able to download this onto an aerial photo which he also purchased and came up with a revised trail map a copy of which was provided to the Board this evening. Mr. Rankin also worked with Mr. Heilferty on new trail blazes. He also made and installed new cedar signs for each trail intersection (20 signs). Mr. Heilferty stated Mr. Rankin's project involved over 140 man hours by Mr. Rankin himself and over 400 man hours from others working with him on the project.

Mr. Santarsiero thanked Mr. Rankin for this work noting he did see the new signs when he was last in the Woods. Mr. Rankin presented a picture of the trail map to Mr. Heilferty and thanked him for the opportunity to work at the Five Mile Woods. Mr. Stainthorpe stated he hikes in the Woods frequently, and Mr. Rankin's project was one of the finest improvements he has ever seen. He and a number of other Supervisors asked that they be able to attend his Court of Honor as he has made a great contribution to the Township.

Mr. Heilferty stated over the last year they have also made parking lot improvements and improvements to the restroom facilities. They will host the Roving Nature Center Camp again this year which is attended by over 300 children each year. This generates income for the Preserve. Mr. Heilferty stated the house on the site continues to be in good shape. They did turn over a tenant recently and raised the rent from \$1,250 to \$1,400 a month. A family of four has moved in and they are a good presence on site. Mr. Heilferty stated this year he also started the Frog Squad which is an amphibian survey Township-wide to document where amphibians exist in the Township. He stated there are also a few State endangered species within the Township, and they will investigate their numbers in the Township. Mr. Heilferty stated he is also looking into the Township detention basins and trying to document the amphibian habitats.

Mr. Heilferty stated the other matter he has discussed previously with the Board is the deer project and their continuing impact on the vegetation in the Woods. He stated his strategy to date has been to educate himself on the current state of deer management in the Northeast and to conclude some of the research he is doing on site with deer

exclosures and surveys. He stated this year it is his goal to present to the Board of Supervisors his professional recommendation for a course of action for the Board's consideration. He stated he is in the process of retaining the services of a professional wildlife biologist. Mr. Heilferty stated this year he will conclude his research on this issue and write a report with recommendations to be presented to the Board.

Mr. Stainthorpe stated there have been a number of people coming to the Board about the deer population in the Township in general. He stated when he was at the Woods mid-December, he saw a herd a twenty-seven deer. He stated at a previous meeting, it was indicated that a property the size of the Five Mile Woods can sustain four deer. He stated he feels they need to deal with this issue in the Township. Mr. Heilferty stated this is an emotional issue; and while he will present several options, he feels he must satisfy his need to create a situation at the Woods as quickly as possible where the vegetation has the ability to recover.

Mr. Santarsiero stated at the last Environmental Advisory Council there was discussion that the public needs to understand the full extent of the problem in the Woods. He stated he would like Mr. Heilferty to prepare for the next Township Newsletter in June a summary of the problem so that the Township residents have a sense of what they are dealing with; and when a course of action is later discussed, it will be in a context such that the residents will understand why this is being done. Mr. Heilferty agreed to do so. He also presented to the Board this evening a document on deer management.

Mr. Zachary Rubin stated last week the owners of the Springdale Farm in Cherry Hill went before their City Council complaining that the deer population was eating all profits from their crops. Mr. Rubin stated the City Council will take a position to have a deer hunt. Mr. Rubin stated New Jersey law prohibits professional hunters from coming in. Mr. Heilferty stated Pennsylvania is also looking into their position on culling herds versus their historic goal of promoting hunting and promoting a deer population which sustained adequate hunting opportunities.

A short recess was taken at this time. The meeting was reconvened at 9:00 p.m.

CONSIDER RESTRICTING HOURS FOR THE COLLECTON OF TRASH WITHIN THE TOWNSHIP

Mr. Truelove stated this matter came to their attention at the request of several residents and Board members because of increasingly early trash and recyclable collection in various parts of the Township. He stated the Board could revise the existing Solid Waste Ordinance by adding a new Article including penalty provisions, enact regulations pursuant to the existing Ordinance which could include penalty provisions as well, enact a wholesale change to the Solid Waste Ordinance as a comprehensive review, or enact a wholesale change and enact regulations pursuant to that wholesale change as well.

Mr. Santarsiero stated there have been complaints from Township residents that trash trucks are coming through neighborhoods at 3:00 a.m. to 5:00 a.m. He stated he personally has called trash haulers on several occasions in response to these complaints and asked that they modify their behavior, and this works for a time and then there is significant back sliding. He stated they felt it would make sense to come up with a new Township law that would limit the hours during which trash haulers can operate in the neighborhoods and impose significant penalties if they violate that law. He asked if Mr. Truelove has a recommend course of action which he feels would make the most sense out of the four methods he has outlined. Mr. Truelove stated the most expeditious would be to revise the Ordinance by adding an Article at the end which would be Article 6 which would specifically address those issues.

Mr. Santarsiero stated he would like to consider at the next meeting the formation of a Task Force that would be responsible for a wholesale review of the Township Ordinances to see what should be changed. He stated there are many instances where the Ordinances need to be updated.

Mr. Smith asked how the change to the Ordinance described by Mr. Truelove would impact the existing permits or contracts by the homeowners and the collectors. Mr. Truelove stated it should not impact it unless there is something **specific** in the contract which allows them to collect at times other than what would be enacted in the Ordinance. He does not feel there is anything that gives them the right to collect at all hours. He stated there is also an outstanding issue as to whether the Township can charge a License Fee at this point, and his office is looking into this as well.

Mr. Smith asked Mr. Fedorchak when the permits are issued. Mr. Fedorchak stated he is not certain but feels they are issued at the beginning of the calendar year. Mr. Smith asked what times they are permitted to collect trash under the current permit, and Mr. Fedorchak stated he does not feel it is specified.

Mrs. Godshalk asked if they could change the permits rather than the Ordinance, and Mr. Santarsiero stated he feels it would be better to have an overarching law which the Township would be able to enforce with stiff penalties to ensure compliance. Mr. Smith stated if there are permits that are coming up for renewal, possibly they could not renew them until they place some modifications or time restrictions on those permits as recommended by Mrs. Godshalk. Mr. Santarsiero stated he would feel more comfortable with an Ordinance that enables the Township at any time to take them to task. Mrs. Godshalk asked if anyone has done a survey as to where this is happening and how often. Mr. Santarsiero stated he has received complaints from the neighborhood where Mrs. Godshalk lives, it has been a recurring problem in his neighborhood, and he has heard complaints about other areas as well.

Mr. Santarsiero stated he would prefer that the Solicitor revise the existing Ordinance and add a new Article 6. Mr. Truelove was asked to prepare this to be presented at the next Board meeting. Mr. Santarsiero stated Mr. Truelove should also look at the permits as well. Mr. Truelove stated he assumes they would want a Resolution to advertise, and Mr. Santarsiero agreed. Mr. Truelove stated they will look into the permit issue as well but one of his concerns legally is if case law would invalidate permit license or issue, they do not want to be left with no other “stick.”

Mr. Jay McLaughlin, Yardley-Langhorne Road, stated he resides in Middletown Township but is also the Public Sector Service Representative for Waste Management and a member of the County Solid Waste Advisory Board. He feels the Board is getting ahead of itself as there are seven different collectors in the Township. He stated if the Township proposed an Ordinance to have a single collector, they could control it with the Board’s specifications and eliminate seven times the amount of trucks in the Township. He stated the Waste Management trucks are on the road by 6:00 a.m.; and the reason they want to be on the road as early as they can, is so that they can do as much collection as they can in the morning and get to the landfill before the School buses are on the road. He stated there is recent case law in Montgomery County that has lifted all their permitted requirements to Waste Management Companies. He stated Waste Management bids on all the Township Contracts, and they do not win them. He stated Waste Management is part of the public bidding process that allows the Township to get an honest price for their services. He asked that the Board not restrain Waste Management’s ability to do business. He stated Waste Management is a supportive company and a big employer that tries to do the right thing and the Township is picking on them. Mr. Santarsiero stated this is a quality of life issue for the residents; and if they have trash haulers coming through their neighborhoods too early in the morning and waking them up, it is a problem to which the Board must respond.

Ms. Teresa McCullough stated she owns McCullough Rubbish and they start at 6:00 a.m. and would like to be able to continue to do so. She stated they also pick up trash for the Township; and she is concerned that coming too late in the afternoon to the Township complexes, there would be many people at the pool and playground which could be a safety issue. Mr. Santarsiero stated he is one of her customers, and he has never known McCulloughs to be a problem in this regard. Mr. Santarsiero stated the problems have been with BFI.

Mr. Anthony Bush, 515 South Ridge Circle, stated he has been complaining about this problem as every Friday one of the haulers sends their recycling trucks down his street between 3:00 a.m. and 5:00 a.m. He stated the trucks are loud, and it is not an appropriate time for trucks to be in a residential neighborhood. He added this has nothing to do with the restraint of trade.

Ms. Helen Bosley, 546 Palmer Farm Drive, stated she hopes that the Ordinance is realistic in terms of trying to balance the needs of the haulers to get on with their business. She stated she feels 6:00 a.m. sounds like a reasonable time.

CONSIDER TAX STATUS OF FARMLAND PRESERVATION PROPERTIES

Mr. Fedorchak stated he and Mr. Conti have been working on this issue and Mr. Conti has been in contact with the County. Mr. Conti stated he has obtained documents which will be discussed at the next Farmland Preservation Corporation meeting to determine if they can qualify as a non-profit organization to get an abatement or reduction of their property taxes.

Mrs. Godshalk stated she is involved with several non-profit groups and asked how they can comply with the rules if they are getting income. Mr. Conti stated they are looking into this and will discuss it at their next Farmland Preservation Corporation meeting. Mr. Truelove stated if an organization takes in money and qualifies arguably in one of the categories that allows for tax exempt status, it still can be tax exempt. He noted Churches takes in money and part of a church may not be tax exempt but another part may be depending on what the purpose of the building is used for. He stated he feels the argument would be the same with Farmland Preservation if they demonstrate to the satisfaction of the Board of Tax Assessment Appeals that they qualify for one of those categories. He stated some non-profits do qualify depending on the purpose of their existence. Mrs. Godshalk stated the Township does not qualify for a lot of their land, and Mr. Truelove stated they are going to try for this. Mr. Fedorchak stated he feels the Patterson Farm may qualify on that basis and they could get a large piece of that in the tax-exempt status. Mrs. Godshalk stated they were not able to do so with the Tomlinson Store. She also noted the small Edgewood parcel where they wanted to tax the Township and the Township purchased slides and swings, and they did not get taxed. Mr. Fedorchak stated most of the land on the Patterson Farm is in that category although some of the buildings are not.

DISCUSSION AND MOTION ON SEWER BOND FINANCING

Mr. Gordon Walker was present and stated the prospectus for the Bond Issue is in good shape. They have circulated it to the working group and expect the credit rating of the Township to come in this Friday. They also expect the quotes from the Bond Insurance Companies to come in Friday as well. They will be in shape to have a Bond sale in two weeks if the Board is ready to move forward. He stated they previously discussed that the re-financing portion would have to be taxable as the Federal Government limits the amount of times that anyone can advance refund a tax-exempt debt. Mr. Walker stated he and Mr. Closser have researched the history of all the sewer debt going back to 1978 and determined that the small amount of sewer debt which is outstanding which is

slightly more than \$2.4 million has never been advance refunded in its history. Therefore, it can be done this time on a tax-exempt basis at much lower interest rates and the costs for refinancing are significantly less than what they previously discussed on March 1.

Mr. Walker noted the report provided to the Board. He stated Page 1 shows the portion of the '03 Bonds related to the sewer debt. Page 2 shows \$7 million of new money and the refinancing portion so that the size of the issue would be \$9,560,000. Page 3 shows that they are able to borrow new money and assuming the refinancing, they can keep the overall debt service shown in the right-hand column to be approximately equal to what exists currently in sewer debt service and actually provide a reduction in 2006. He stated the cost of the principal and interest for the re-financing is \$2,879,000. On March 1, this was \$3,050,000 and this has been reduced as they are going from taxable interest rates to tax-exempt rates.

Mrs. Godshalk asked the minimum amount of time if they want to recall the bonds. Mr. Walker stated it would be five years for the new issue.

Mr. Santarsiero stated in the past they were discussing \$10 million debt. Mr. Closser stated this was where they set the maximum, but they assumed it would be somewhat less.

Mrs. Godshalk asked what the penalty would be if they called it before five years. Mr. Walker stated they could not sell the bonds before this. He stated since this is a twenty-five year bond, there is a five year call. He stated this is a bank qualified deal and these issues typically carry the most favorable call feature available which is five years.

Mr. Stainthorpe stated they have had a discussion about the possibility of selling the sewer system and asked what would happen if they did this in two years. Mr. Walker stated they would first have to pay off the debt. He stated if they sell the system in two years and they have three more years, the Township would put enough proceeds of the sale in escrow to earn interest. It would be off the Township books in terms of debt. He stated the funds would be in an escrow account earning interest for the Township that would take care of the interest and the principal at the call date.

Mrs. Godshalk asked how much interest the bonds pay to the buyer, and Mr. Walker stated it depends if you buy one year bonds, twenty-five year bonds, or something in between. A bond due in one year would pay 3 1/2% but the twenty-five year bond would pay 4.53%.

Mr. Walker stated he was directed to get three proposals from underwriters, and he obtained four. He noted some of the names may not be familiar, but a number of firms have gone out of the Municipal business and the people have gone to other firms. He

stated the people are same. He stated they are all good firms and are willing to do a five year call. He stated Wachovia would underwrite this at the lowest cost and he has worked with them previously.

Mr. Stainthorpe stated there was previous discussion on the wisdom of re-financing the current debt. Mr. Walker stated it will cost the Township \$230,000 to refinance the existing debt as opposed to the \$500,000 they had previously discussed. Mr. Stainthorpe asked what this would be in terms of the yearly debt service. Mr. Walker stated the debt service this year will be \$408,000. If they are refinancing, they would have \$624,000 for this year and \$103,000 on the \$7 million. He stated next year they would have to pay \$616,000 plus \$310,000 which is a 50% increase in debt service which would probably translate to a rate increase. Mr. Fedorchak stated taking the \$100,000 plus another \$310,000 this is \$410,000 that they would have to cover in the 2007 Budget. He stated the only way to do this would be to increase sewer rentals. He stated he feels it could be a 10% increase in sewer rentals in 2007. Mr. Stainthorpe stated he is not sure how the best way to proceed would be as he does not feel a 10% rate increase which using his bill would only be a \$6 to \$7 increase per quarter, would be that much of a burden if it meant they could save the Township \$250,000. Mr. Fedorchak stated the last increase was approximately two years ago and it was 30%. He stated in 2006 they approved sewer fund expenditures of approximately \$4.6 million and the total sewer fund revenues are about \$4.2 million which means they approved a Budget where they were spending \$400,000 more than they took in. He stated they were able to do this because they carried into 2006 approximately \$750,000 in the beginning cash balance. When they go into 2007, it will be tight. If they are adding another \$400,000 on top of this, he is concerned. He stated he would prefer that they look into keeping the debt service the same and proceed with the re-funding.

Mr. Stainthorpe stated they must also consider what the Morrisville Plant will charge the Township for improvements as well as at the Philadelphia Plant so it could mean there could be an increase well above 10%. Mr. Santarsiero stated he feels there is a point at which it does become a burden to the residents. He stated while they are taking on an additional \$250,000, they must consider what people are able to afford as there are residents living on fixed incomes and families who are already stretched thin.

Mr. Sam Conti stated the sewer increase that was effective January 1, 2005 was 35%.

Ms. Helen Bosley, 546 Palmer Farm Drive, stated she brought this matter up previously. She asked the name of the Bond Counsel, and Mr. Walker stated it is Curtin and Heefner. Ms. Bosley stated they have the opportunity in the next four years to pay off the \$2.4 million that is currently outstanding. She stated in 2010 this means the amount to be paid would drop down from \$900,000 to \$310,000. In three and a half years, they would get themselves back to a point where they have more flexibility. She stated she feels this is a more prudent way to go. She stated she did hear someone say that they could refinance it

again, but the issue would be that the Township would have just refinanced the \$2.4 million. Mr. Walker stated they would only refinance for two reasons – one would be to restructure it or spread it out and the other would be save money if interest rates were lower. He stated on the \$7 million which is new money, the Township is allowed to do advance re-funding, so if they do not sell the system and the rates are lower in three years, they could do a refunding of the \$7 million. The \$2.4 million piece could not be advance refunded tax-exempt again. Ms. Bosley stated they would still have the \$2.4 million piece for twenty-five years, and Mr. Walker stated that this piece only runs nine years. Ms. Bosley stated based on nine years versus three and a half years compared to a \$6 or \$7 increase on the sewer bill, she still feels it would not be wise to refinance. She stated if they were to sell the system in two to three years, they are going to get \$1.2 mill per year less because they would have this as outstanding debt versus having paid it. She stated she feels that they should only finance those things that are going forward.

Mr. Santarsiero stated they should not proceed on the assumption that there would only be a \$6 increase for everyone per quarter as this was what the impact would be for Mr. Stainthorpe based on his bill, and they do not know what the cost would be for every household in the Township. Mr. Smith stated there could also be increases from other areas which are passed onto the Township which would raise it higher than 10%, and Mr. Stainthorpe stated he did bring this up.

Mr. Closser stated assuming they would like to proceed with a Bond Issue, they should authorize a bond authorization Ordinance for the next meeting to be advertised in accordance with the requirements of the Local Government Unit Debt Act. The Board should also consider the structure of the Bond issue and whether or not they will refinance the existing sewer debt and whether they intend to proceed with Wachovia Securities as the underwriters. Mr. Santarsiero asked if the first part needs to be a Motion and Mr. Closser stated this is just what they will do at the next meeting and his office has been given this general authority by the Board.

Mr. Santarsiero moved and Mr. Smith seconded to restructure the existing debt as well as take on the new debt for the sewer project.

Mr. Smith stated while he feels Ms. Bosley's points are excellent, he is concerned about how this will affect the individuals living in the Township and how passing on an increase would impact not only the Senior Citizens but others living week to week in the Township. He stated he wants to keep the existing bills as level as possible.

Mrs. Godshalk stated she feels the timing is premature since the Board has agreed to look into setting up standards for perhaps selling the sewer system. Mr. Stainthorpe stated they still need to do the repairs. Mrs. Godshalk stated perhaps whoever purchases the system, will take care of the repairs. Mr. Fedorchak stated there is a sense of urgency to move forward as quickly as possible to get the repairs done because of the condition of

the Canal Interceptor line. He stated they have over the past two years, had two unexpected collapses which they had to repair. Mrs. Godshalk stated she is familiar with this; but if there is an emergency, they can do short-term loans which would not tie them up for five years as well as the fees they are paying for underwriting a huge loan. She stated she feels it should be held off until an offer comes in for the sewer system. Mr. Stainthorpe stated they may decide not to sell it and they still need to do the repairs immediately. Mrs. Godshalk stated they could take out a short-term loan if they needed to do the repairs. Mr. Fedorchak stated this would not be cost effective in the long run. Mrs. Godshalk stated she does not feel it is cost effective to pay fees for a twenty-five year loan. Mr. Fedorchak stated he feels they should proceed under the assumption that they are going to be the owners of the system for some time. He stated any potential purchaser is going to want the work done in advance of a sale. Mrs. Godshalk stated she does not feel they know this at this time. Mr. Fedorchak stated they did televise approximately 13,000 linear feet of sewer line and found that the vast majority of it is in a very poor condition; and according to the Township engineers, it is in need of immediate repair. Mr. Santarsiero stated they have been told by the engineer and the Sewer Authority that those lines could rupture and the cost to repair it would be three times what they are now considering. Mrs. Godshalk stated she is not saying it should not be repaired, but she feels they should look into a short-term loan. Mr. Fedorchak stated if it were under \$1 million they could do this but they are considering a number that is in excess of \$6 million. Mrs. Godshalk asked if they received any quotes on borrowing money of that amount for a short-term, and Mr. Fedorchak stated he did not.

Motion carried with Mrs. Godshalk opposed.

Mr. Stainthorpe moved and Mr. Caiola seconded to approve Wachovia Bank as the underwriter. Motion carried with Mrs. Godshalk abstained.

DISCUSSION ON GOLF COURSE WELLS

Mr. Eric Engle, DelVal Soil & Environmental Consultants, was present. He stated his company is working on the groundwater system at the Golf Course. He stated the original system contained two wells which were used to pump ground water into the main irrigation pond. The pond is designed to capture rainwater run off and the two wells were to supplement the pond. The DRBC (Delaware River Basin Commission) permitted them at 200 gallons per minute for the two wells. Individually allocations were 160 gallons per minute for PW1 the main well adjacent to the pond and PW2 was up to 70 gallons per minute. He stated the DRBC requires ongoing monitoring around the site which includes measuring the water levels and keeping records on the pumping rates. Mr. Engle stated the ongoing monitoring is extremely important as it allows them to get real time data and make adjustments to the pumping system. The main goal is to try to

minimize or alleviate any off-site impacts that would result from the withdrawals at the Golf Course.

Mr. Engle stated during the first irrigation season a serious problem occurred and more draw down than was anticipated during the original pumping test occurred off site and effected a number of homeowners on Delaware Rim Drive. In addition the well yield at PW1 decreased substantially. He stated they did a camera survey of PW1 and found that the well had collapsed. They decided that the well needed to be rehabbed and they also decided to drill a third well to supplement the irrigation system. PW3, the third well was located further out toward the front of the property which geologically was in a better area which typically produces better water yield. When they drilled this well, they installed more casing. The DRBC permitted this at 40 gallons per minute. PW1 was rehabbed and appeared to be stable. They did some additional tests on the wells, and the well yield did return to what it had been; however, pumping it at the same amount that it was originally permitted at still caused draw down in the area. They therefore had to reduce the amount pumped out of this well. The DRBC agreed that the well should be reduced and can now pump 60 gallons per minute. They now have three wells with PW1 pumping 60 gallons per minute, PW2 at 70 gallons per minute, and PW3 at 40 gallons per minute. This is approximately 30 gallons per minute less than the two original production wells on the site.

Mr. Engle stated this season, they will get the wells up and running and continue the ongoing monitoring of water levels in the area and use the data to modify pumping schedules as necessary. They want to make sure that no off-site impacts occur this season. He stated he feels they are dealing with a limited amount of groundwater storage in the bedrock itself.

Mr. Santarsiero asked if 170 gallons per minute is sufficient for the needs of the Golf Course. Mr. Engle stated in his discussion with Mr. Dancott he indicated that the original allocation of 200 gallons per minute would be better, but the 170 will have to be sufficient.

Mr. Stainthorpe stated they did discuss this at the Golf Committee and the original allocation would have been preferable but what they are now indicating they will get is within the limits that most feel a Golf Course needs. He stated this will also depend on the weather and what the summer is like. He stated it is also important as to how the Superintendent manages the water. He feels they should have enough water based on the numbers. Mrs. Godshalk stated it is also not a mature course and this has something to do with using more water as well.

Mr. Santarsiero stated the Board needs to be kept apprised as to whether the pumping at 170 gallons per minute is having an off-site impact and whether in the course of a year this is sufficient water to keep the Golf Course properly maintained.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, stated she hopes that the next time the Board of Supervisors decides to buy or appropriate property, they listen to the current stewards of the property. She stated she was present when the Board decided to condemn the property, and she does not feel the Board ever consulted the farmers who were farming the property at that time; and if they had, they would have been told about the water situation and how dry the property was. She stated she also heard the Board assure the public that there would be sufficient water and it would not have an impact on the adjoining properties.

Mr. Stan Rakovitz, Spur Road, stated he is concerned with the impact on his well and asked if he could get a copy of the report. Mr. Santarsiero stated this could be provided.

Mr. Dick Scherfel, 26 Sunnyside Road, stated he has had problems since the beginning and the soil scientist does come out each week and measures his well. He stated he has an ultra-violet light, a conditioner, filter, etc. and he has the worst water possible. He stated he built the home twenty years ago and the well was good. He has done all the maintenance, and still has bad tasting water. He stated he was advised by his neighbor yesterday who has a sand mound that the sale of his home will be hindered because of this. Mr. Scherfel stated he feels that individual has bacteria in his water. Mr. Scherfel stated at his own home the problem is the overall condition of the water. He stated he has had black come through when the well went down and the water has a bad taste. Mr. Santarsiero asked Mr. Engle what can be done about this situation. Mr. Fedorchak agreed to have Mr. Engle look into this situation further.

GRANT EXTENSION TO FIELDSTONE PLAN NO. 496N AND NO. 549

Mr. Truelove stated at the last meeting the developer **representatives**, counsel, and engineer, were before the Board. While there has been some progress, there is still work that needs to be done and they have requested Extensions.

Mr. Smith moved, Mr. Caiola seconded and it was unanimously carried to grant an extension to Fieldstone No. 496N and Fieldstone Plan No. 549 to July 17, 2006.

APPROVE REQUEST OF CATHERINE AND JOSEPH MURSCH TO CONSTRUCT PATIO

Mr. Truelove stated this matter involves limitations imposed on the Development Linen with respect to impervious surface. Catherine and Joseph Mursch, 113 Garden Ridge Circle are requesting a 358 square foot increase over the existing impervious surface amount listed on the Linen. He stated Mr. Majewski did prepare a report outlining his

recommendations and he has indicated this would not have a detrimental impact provided they comply with the conditions outlined in his letter of 3/6/06. Mr. Majewski stated they are requesting permission to construct a patio that would result in greater than the permitted impervious surface according to the Linens. He stated with a minor adjustment to the construction of the patio, it will basically be a pervious surface.

Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to approve the request subject to Mr. Majewski's letter dated 3/6/06.

ZONING HEARING BOARD

Mrs. Godshalk noted the following Appeals were heard by the Zoning Hearing Board on April 4, 2006 and were all approved:

Richard and Vicki Miller, 868 Sandy Run Road, Variance request to construct an addition resulting in encroachment into the front yard setback.

Robert Harman, 1280 Colts Lane, Variance requests to construct a fence in a drainage easement.

John Bitner, 1455 Hidden Pond Drive, Variance requests to permit existing hot tub to use existing enclosure which may have spacing greater than permitted.

It was agreed that the Solicitor should appear to monitor the situation with regard to the Lianne Nugent and Daniel Snyder, 1324 Moon Drive, Variance request to construct an addition resulting in greater than the permitted impervious surface.

With regard to the Thomas Cooper, 403 River Road, Variance requests to permit elevation of the home, it was agreed that the Solicitor should appear to insure that the concerns set forth in Mr. Majewski's letter dated 4/3/06 are complied with.

With regard to the First Baptist Church of Newtown Variance request to permit more than the allowed number of signs and a slight increase in the square footage in the signs, it was agreed that this be left to the Zoning Hearing Board.

SUPERVISORS REPORTS

Mr. Santarsiero stated the post card edition of the Newsletter will be coming out next week. He noted the Southeastern Bucks League of Municipalities met last week and discussed a number of issues including open space preservation. He stated he asked the members of the League to go back to their Boards to get authority to join onto a common

letter that would go to the Bucks County **Commissioners** requesting that the County float another bond as soon as possible for the purpose of open space acquisition. He stated the Lower Makefield Board of Supervisors agreed this evening that they would sign onto such a letter with the hope of being able to preserve as much open space as possible within the Township. Ms. Herman asked if the dates of the meetings for the Southeastern Bucks League of Municipalities are on the Township Website; and Mr. Santarsiero stated they are not, but he will provide these to the appropriate Township individual so that they can be put on the Website.

Mr. Smith stated the Historic Commission did have a special meeting with Mr. VanDyke to go over some of the Plans for Edgewood Village, and they hope to meet the target date of ninety days to come back to the Board of Supervisors. Mr. Smith stated both Mr. Taylor and Ms. Harrison are moving out of the Township and will be unable to serve on the Planning Commission, and he thanked them for their service to the community. Mr. Smith stated the Farmland Preservation Corporation had a farmland tour last Saturday at which, he, Mr. Caiola, and Mr. Santarsiero were in attendance.

Mr. Caiola stated while the CATV did not meet, he did want to announce that the Chairman of the Cable TV Advisory Board, Elliot Paul, has served on that Board twenty years this month. He stated the Sewer Authority met and the majority of the discussion dealt with developing an RFP for studying the sale of the sewer system as well as a lengthy discussion on the potential contractor for Phase I of the sewer improvements.

Mr. Stainthorpe stated the Golf Committee toured the Golf Course two weekends ago. He stated it was a difficult summer last year, and there are a number of tees that are in need of repair and a number of areas on some of the fairways that need to be repaired. He stated he feels it will improve a great deal over the next few weeks, but there is a lot of work to do to get the course in shape. He stated the season started April 1 and regular rates are in place. He stated he has not seen the latest numbers, but feels they are ahead of where they would normally be this time of year in terms of rounds played.

Mr. Stainthorpe stated the Emergency Management Committee met and discussed bomb threats that have occurred recently and recommended changes in procedures for getting children out of school. He stated he is very impressed with the **professionalism** of the Township Police Department as well as the qualifications of the other Emergency Management Committee members. Mr. Stainthorpe stated the Committee is also reviewing the Emergency Management Plan in terms of where they procure emergency supplies. Chief Coluzzi stated they did a brief tour of the emergency operations center and added some communications in the event of an emergency so that they can make contact with various helicopters that are in the air and contact with the State Police, area fire companies, etc. Mr. Caiola stated Mr. Steve Levin, who lives in Lower Makefield, is a Ham Radio operator and has been involved in a lot of emergency issues and would like

to come before the Board to discuss developing an Ordinance that would enable individual citizens to support emergency efforts as they did during Hurricane Katrina. Chief Coluzzi stated there is a National effort underway to unify identification cards signifying level of experience; and in the event you are on vacation in some part of the Country where there is an emergency, you can respond to the Emergency Operations Center, show your ID card, and they will know your level of skill. He stated the Civilian Emergency Management Committee will have a certain code and it will allow access to different areas to help out. Mr. Smith stated he would like to bring Mr. Levin in to speak to the Board and the public. Chief Coluzzi stated they also discussed the vulnerable facilities in the Township including the Schools, religious institutions, etc. He stated it is important to develop plans for each of these facilities; and as the Emergency Management Coordinator, he is required by law to review and approve the plans.

Mrs. Godshalk stated she also attended the Golf Course inspection. She noted at the Zoning Hearing Board meeting on April 4 one of the Variances was for a hot tub and the individual had not obtained a Permit when it was installed. She advised the public that Permits are required for outside hot tubs. Mrs. Godshalk stated the Memorial Dedication is set for September 9. They have planted many of the trees which were given, but they did have to pay for the planting and transportation and this cost will come out of the Forestry Grant. She discussed their plans for planting trees down to the basin. She stated the basin is acting as a retention basin. Mr. Majewski stated the contractor needs to put in additional dirt into the bottom of the basin and it should then drain freely. This will be done when weather permits. Mrs. Godshalk also asked about the berming, and Mr. Majewski stated he does not feel this has been done yet.

APPROVAL OF BUCKS COUNTY CONSORTIUM SIGN MATERIALS AND POST BIDS

Mr. Fedorchak stated the staff recommends that the Board approve a Contract with Garden State Highway Products, U.S. Municipal, and Atlas Flasher through the Bucks County Consortium.

Mr. Caiola moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the Bucks County Consortium Sign Materials and Post Bids as outlined by Mr. Fedorchak.

Mrs. Godshalk stated she feels there should be deer signs on Oxford Valley Road coming out of Mr. Santarsiero's development. Mr. Santarsiero noted the location where a sign is needed coming north toward the retention basin on the left hand side. Mr. Santarsiero stated there has also been a request to install a deer sign at Schuyler Drive.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Caiola moved and Mr. Stainthorpe seconded to appoint the following:

Planning Commission – Tony Bush
Richard Cylinder

Environmental Advisory Council – Joe Sundeen
Lisa Zygmunt
Jeff Goll
Alan Dresser
Laura Brandt – Alternate

Park & Recreation Board – Patricia Bunn
David Gordon

Disabled Persons Advisory Board – Megan Dorko

Mr. Caiola stated at the next meeting he would like to pursue carrying alternates for some of the Boards so that they are assured that there is a better opportunity for items to be voted on, especially during vacation time, etc. and to get more people involved as there were a number of good people applying for the vacancies. Mr. Smith agreed noting there have been times in the past on several Boards when there was not a quorum present and if there had been Alternates, they could have moved ahead with business. He stated this is especially important when a Board meets only once a month.

Motion carried unanimously.

Mrs. Godshalk moved to appoint Robert Smith to the Economic Development Commission. Mr. Santarsiero stated he would prefer they wait until they have interviewed a number of other people for that Board. Motion died for lack of a second.

Mr. Santarsiero noted the number of interviews that still need to be conducted and announced that the Board will meet again on Monday, April 10 beginning at 5:30 p.m. to conduct additional interviews.

There being no further business, Mr. Stainthorpe moved, Mrs. Godshalk seconded and it was unanimously carried to adjourn the meeting at 10:30 p.m.

Respectfully Submitted,

Greg Caiola, Secretary



Township of Lower Makefield

BOARD OF SUPERVISORS
Steven Santarsiero, Chairman
Ron Smith, Vice-Chairman
Greg Caiola, Secretary/Treasurer
Grace M. Parkinson Godshalk, Supervisor
Pete Stainthorpe, Supervisor

**MARCH 2006 WARRANT LISTS AND
FEBRUARY 2006 PAYROLL COSTS FOR APPROVAL
APRIL 5, 2006 BOARD OF SUPERVISORS MEETING**

06/06/2006 Warrant List	\$ 337,790.22	
03/06 Manual Checks		
03/20/2006 Warrant List	472,163.20	
Total Warrants & Prepays		809,953.42
<u>PAYROLL COSTS:</u>		
FEBRUARY 2006 Payroll	359,913.09	
02/06 Payroll Taxes, etc.	27,533.37	
Total Payroll Costs		<u>387,446.46</u>
TOTAL TO BE APPROVED		\$ <u><u>1,197,399.88</u></u>

